

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE CLEMENTINE COMPANY, LLC,
et al.,

Plaintiffs,

-against-

ANDREW M. CUOMO, et al.,

Defendants.

No. 1:20-cv-08899-CM

**NOTICE OF MOTION AND
MOTION FOR LEAVE TO FILE
AMENDED COMPLAINT**

PLEASE TAKE NOTICE, that upon the Memorandum of Law in Support of their Motion for Leave to File Amended Complaint, dated May 5, 2021, and all exhibits attached thereto, and upon all prior proceedings, pleadings, and filings in this action, the above-named Plaintiffs move this Court, before the Honorable Colleen McMahon at the United States Courthouse for the Southern District of New York located at 500 Pearl St., New York, New York for an expedited Order pursuant to Federal Rules of Civil Procedure 15 and 21, granting Plaintiffs leave to file the attached First Amended Complaint. *See Exhibit A.*

Dated: May 5, 2021.

Respectfully submitted,

DANIEL M. ORTNER*
Pacific Legal Foundation
930 G Street
Sacramento, California 95814
Telephone: (916) 419-7111
Facsimile: (916) 419-7747
Email: DOrtner@pacificlegal.org

s/ James G. Mermigis
JAMES G. MERMIGIS, ESQ.
The Mermigis Law Group, P.C.
85 Cold Spring Road, Suite 200
Syosset, New York 11791
Telephone: (516) 353-0075
Email: James@MermigisLaw.com

GLENN E. ROPER*
Pacific Legal Foundation
1745 Shea Center Drive, Suite 400
Highlands Ranch, Colorado 80129
Telephone: (916) 419-7111
Facsimile: (916) 419-7747
Email: GERoper@pacificlegal.org

**Pro Hac Vice*

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. Counsel for all parties are registered with the Court's CM/ECF system and will receive a notification of such filing via the Court's electronic filing system.

s/ James G. Mermigis
JAMES G. MERMIGIS, ESQ.
The Mermigis Law Group, P.C.
85 Cold Spring Road, Suite 200
Syosset, New York 11791
Telephone: (516) 353-0075
Email: James@MermigisLaw.com
Counsel for Plaintiffs